



AMENDMENT AFTER FINAL  
EXPEDITED PROCEDURE  
ART UNIT 1639

PATENT  
Attorney Docket No.: DIVER1280-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1639  
Application No.: 09/738,871 Examiner: J.D. Epperson  
Filed: December 14, 2000 Confirmation No.: 9780  
Title: HIGH THROUGHPUT SCREENING FOR A BIOACTIVITY OR  
BIOMOLECULE

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

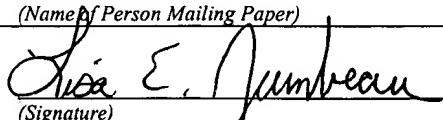
Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 4955 Directors Place, San Diego, California 92121, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/738,871, filed December 14, 2000, entitled HIGH THROUGHPUT SCREENING FOR A BIOACTIVITY OR BIOMOLECULE as evidenced by an Assignment recorded on May 2, 2001 in the United States Patent and Trademark Office on Reel 011766, Frame 0530. The evidentiary documents referred

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CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, <b>January 27, 2005</b> , in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Lisa E. Jambeau (Name of Person Mailing Paper)	
 (Signature)	January 27, 2005 (Date)

In re Application of:  
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to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

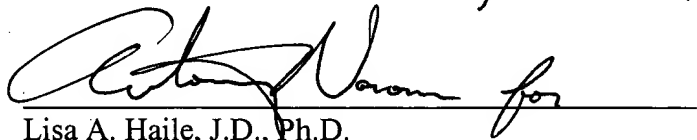
Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified U.S. Patent Application Serial No. 09/738,871, filed December 14, 2000, that would extend beyond the expiration date of copending U.S. Application Serial No. 10/145,281 of copending Application No. US 20030077677 A1 ('677). Petitioner hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 09/738,871 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to copending U.S. Application Serial No. 10/145,281 of copending Application No. US 20030077677 A1 ('677), this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Enclosed is Check No. 573630 in the amount of \$825.00 (\$250.00 for the Notice of Appeal fee, \$65.00 for the Terminal Disclaimer fee, and \$510.00 for the Three (3) Months Extension of Time fee). The Commissioner is hereby authorized to charge for any additional required fees, or credit any overpayments to Deposit Account No. 07-1896

Respectfully submitted,

*Reg. No. 45,517*

Date: January 27, 2005



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